

## Message Text

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ORIGIN OES-07

INFO OCT-01 ARA-06 ISO-00 AID-05 L-03 CIAE-00 INR-07

NSAE-00 NSF-01 CU-02 /032 R

DRAFTED BY OES/APT/BMP:CGORSEY

APPROVED BY OES/APT:OHGANLEY

OES/APT/BMP:JCFRY

ARA/AND:TSONANDRES

ARA/ECP:MLUCY(INFO)

AID/SER/CFS:TMOSEN(INFO)

-----042354Z 004529 /63

P 042048Z MAY 77

FM SECSTATE WASHDC

TO AMEMBASSY CARACAS PRIORITY

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E.O. 11652: N/A

TAGS: TGEN, VE

SUBJECT: NEGOTIATION OF AN AGREEMENT ON SCIENTIFIC AND  
TECHNOLOGICAL COOPERATION

1. DEPARTMENT BELIEVES THAT IN VIEW OF CONTINUING GOV  
REQUESTS FOR TECHNICAL SERVICES FROM US AGENCIES, CONCLUSION  
OF A GOVERNMENT-TO-GOVERNMENT S AND T AGREEMENT, WHICH  
MAKES PROVISION FOR FURNISHING TECHNICAL SERVICES ON A  
REIMBURSABLE BASIS AS WELL AS RECOGNIZING THE CONTINUING  
COOPERATIVE SELF-FINANCED S AND T ACTIVITIES (SUCH AS THOSE  
CONDUCTED UNDER NSF AUSPICES) WOULD BE ADVANTAGEOUS TO BOTH  
GOVERNMENTS.

2. IN APPROACHING GOV TO SUGGEST POSSIBILITY OF SUCH AN  
AGREEMENT, EMBASSY SHOULD MAKE CLEAR THAT LEVEL OF SELF-  
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FINANCED (I.E., U.S.-FINANCED) ACTIVITY UNLIKELY TO INCREASE  
OVER PAST LEVELS, SINCE LEGISLATIVE AUTHORITY AND APPROPRIA-  
TIONS OF MANY U.S. TECHNICAL AGENCIES DO NOT PERMIT FUNDING  
FOREIGN PROGRAMS THAT DO NOT DIRECTLY BENEFIT DOMESTIC  
PROGRAMS. IMPORTANT PURPOSE OF PROPOSED AGREEMENT IS TO  
SYSTEMATIZE INCREASING NUMBER OF S AND T ARRANGEMENTS,  
MAKING PROCESS OF REQUEST AND RESPONSE EASIER AND SMOOTHER.

3. EMBASSY MAY WISH TO EMPHASIZE THAT ALTHOUGH U.S. AGENCIES WILL BE PROVIDING SERVICES ON REIMBURSABLE BASIS, USG MOTIVATED BY DESIRE TO SHARE BENEFITS OF U.S. SCIENCE AND TECHNOLOGY WITH FRIENDLY COUNTRIES, AND NOT FINANCIAL CONSIDERATIONS AS IT IS SEEKING REIMBURSEMENT ONLY FOR COSTS INVOLVED.

4. DEPARTMENT REQUESTS EMBASSY VIEWS ON WHETHER AGREEMENT MIGHT BE SIGNED BY U.S. AND VENEZUELAN PRESIDENTS ON OCCASION OF PRESIDENT PEREZ'S VISIT TO U.S.

5. IN PROCESS OF NEGOTIATION, IT WOULD BE HELPFUL TO U.S. AGENCIES FOR PLANNING PURPOSES IF GOV COULD IDENTIFY MORE CLEARLY POSSIBLE FUTURE AREAS OF COOPERATION.

6. IF GOV RECEPTEIVE TO CONCLUSION OF S AND T AGREEMENT, FOLLOWING TEXT CAN BE USED AS BASIS FOR NEGOTIATION:

BEGIN TEXT:

AGREEMENT RELATING TO SCIENTIFIC AND TECHNOLOGICAL COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF VENEZUELA

-- THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF VENEZUELA, (HEREAFTER REFERRED TO AS THE "PARTIES"),

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-- RECOGNIZING THAT SCIENTIFIC AND TECHNOLOGICAL COOPERATION WILL ADVANCE THE STATE OF SCIENCE AND TECHNOLOGY AND STRENGTHEN THE BONDS OF FRIENDSHIP BETWEEN THE TWO COUNTRIES,

-- HAVE AGREED AS FOLLOWS:

-- ARTICLE 1

-- 1. THE TWO PARTIES SHALL PROMOTE COOPERATION IN THE FIELDS OF SCIENCE AND TECHNOLOGY FOR PEACEFUL PURPOSES IN AREAS OF MUTUAL INTEREST.

-- 2. THE PRINCIPAL OBJECTIVES OF THE COOPERATION ARE TO COLLABORATE ON PROBLEMS OF MUTUAL INTEREST, AND TO BROADEN AND EXPAND RELATIONS BETWEEN THE SCIENTIFIC AND TECHNOLOGICAL COMMUNITIES OF BOTH COUNTRIES.

-- ARTICLE 2

-- COOPERATION UNDER THIS AGREEMENT MAY INCLUDE EXCHANGES

OF SCIENTIFIC AND TECHNOLOGICAL INFORMATION, EXCHANGES OF SCIENTISTS AND TECHNICAL EXPERTS, CONVENING OF JOINT SEMINARS AND MEETINGS, CONDUCT OF JOINT RESEARCH PROJECTS IN THE FIELDS OF BASIC AND APPLIED SCIENCES AND TECHNOLOGY, AND OTHER FORMS OF SCIENTIFIC AND TECHNOLOGICAL COOPERATION AS MAY BE MUTUALLY AGREED.

-- ARTICLE 3

-- PURSUANT TO THE TERMS OF THIS AGREEMENT, THE TWO PARTIES WILL ENCOURAGE AND FACILITATE, WHERE APPROPRIATE, THE DEVELOPMENT OF DIRECT CONTACTS AND COOPERATION BETWEEN GOVERNMENTAL AGENCIES, UNIVERSITIES, RESEARCH CENTERS, AND OTHER INSTITUTIONS AND FIRMS OF THE TWO COUNTRIES  
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(HEREAFTER REFERRED TO AS "COOPERATING ENTITIES") AND THE CONCLUSION OF IMPLEMENTING ARRANGEMENTS BETWEEN COOPERATING ENTITIES FOR THE CONDUCT OF COOPERATIVE ACTIVITIES UNDER THIS AGREEMENT.

-- ARTICLE 4

-- SCIENTISTS, TECHNOLOGICAL EXPERTS, GOVERNMENTAL AGENCIES, INSTITUTIONS AND FIRMS OF THIRD COUNTRIES OR INTERNATIONAL ORGANIZATIONS MAY BE INVITED, IN APPROPRIATE CASES, BY THE TWO PARTIES, TO PARTICIPATE IN PROJECTS AND PROGRAMS BEING CARRIED OUT UNDER THIS AGREEMENT AT THEIR OWN EXPENSE UNLESS OTHERWISE AGREED.

-- ARTICLE 5

-- 1. SHOULD EITHER PARTY OR AN AGENCY OR INSTRUMENTALITY THEREOF WISH TO AVAIL ITSELF OF TECHNICAL OR PROFESSIONAL SERVICES AVAILABLE FROM THE OTHER PARTY OR AGENCY OR INSTRUMENTALITY THEREOF, THE REQUESTING PARTY MAY AGREE TO DEFRAY SOME OR ALL OF THE COSTS OF THE AGENCY FURNISHING SUCH SERVICES WHICH ARISE FROM SUCH ACTIVITIES INCLUDING DIRECT, INDIRECT, PLANNING, AND PROJECT TERMINATION COSTS; IN SUCH AN EVENT, FINANCIAL AND OTHER NECESSARY ARRANGEMENTS SHALL BE WORKED OUT AND AGREED TO BY THE PARTICIPATING AGENCIES OF THE TWO PARTIES.

-- 2. THE PARTIES WILL FACILITATE THE ISSUANCE OF VISAS FOR ENTRY INTO AND EXIT FROM THEIR RESPECTIVE TERRITORIES OF SCIENTISTS AND ENGINEERS WHO MAY ACT WITHIN THE PURVIEW OF THIS AGREEMENT, AS WELL AS FOR THEIR

DEPENDENTS. THE PARTIES WILL ALSO FACILITATE ENTRY AND EXIT OF EQUIPMENT SHIPPED BY AGENCIES OR INSTITUTIONS OF ONE OF THE PARTIES TO THE OTHER. THE PERSONAL EFFECTS OF THE SCIENTISTS AND ENGINEERS REFERRED TO IN THIS

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ARTICLE, AS WELL AS THE EQUIPMENT NECESSARY FOR THE EXERCISE OF THEIR ACTIVITIES, WILL BE ADMITTED DUTY FREE ON A TEMPORARY BASIS IN CONFORMITY WITH THE LEGISLATION OF EACH CONTRACTING PARTY.

-- 3. IN CASES NOT OTHERWISE PROVIDED FOR IN AN IMPLIMENTING ARRANGEMENT, EACH PARTY OR COOPERATING ENTITY SHALL BEAR THE COST OF THE PARTICIPATION AND THAT OF ITS PERSONNEL ENGAGED IN COOPERATING ACTIVITIES UNDER THIS AGREEMENT.

-- ARTICLE 6

-- COOPERATIVE ACTIVITIES SHALL BE UNDERTAKEN IN ACCORDANCE WITH APPLICABLE LAWS IN BOTH COUNTRIES AND SHALL BE SUBJECT TO THE AVAILABILITY OF APPROPRIATED FUNDS.

-- ARTICLE 7

-- DESIGNATED REPRESENTATIVES OF THE TWO PARTIES SHALL MEET WHEN NECESSARY IN ORDER TO DISCUSS AND FURTHER THE IMPLEMENTATION OF THIS AGREEMENT AND TO EXCHANGE INFORMATION ON THE PROGRESS OF PROGRAMS, PROJECTS, AND ACTIVITIES OF COMMON INTEREST. GROUPS OF EXPERTS MAY BE DESIGNATED TO DISCUSS SPECIAL QUESTIONS.

-- ARTICLE 8

-- 1. SCIENTIFIC AND TECHNICAL INFORMATION OF A NON-PROPRIETARY NATURE DERIVED FROM THE COOPERATIVE ACTIVITIES CONDUCTED UNDER THIS AGREEMENT SHALL BE MADE AVAILABLE, UNLESS IT IS AGREED OTHERWISE UNDER SPECIFIC CIRCUMSTANCES, TO THE WORLD SCIENTIFIC COMMUNITY THROUGH CUSTOMARY CHANNELS AND IN ACCORDANCE WITH THE NORMAL PROCEDURE OF THE PARTIES.

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-- 2. THE DISPOSITION OF PATENTS, DESIGNS AND OTHER  
INTELLECTUAL PROPERTY ARISING FROM THE COOPERATIVE  
ACTIVITIES UNDER THIS AGREEMENT WILL BE PROVIDED FOR IN  
THE IMPLEMENTING ARRANGEMENTS REFERRED TO IN ARTICLE 3.

-- ARTICLE 9

-- NOTHING IN THIS AGREEMENT SHALL BE CONSTRUED TO  
PREJUDICE OTHER ARRANGEMENTS FOR SCIENTIFIC AND TECHNO-  
LOGICAL COOPERATION BETWEEN THE TWO PARTIES.

-- ARTICLE 10

-- 1. THIS AGREEMENT SHALL ENTER INTO FORCE UPON  
SIGNATURE AND SHALL REMAIN IN FORCE FOR FIVE YEARS. IT  
MAY BE MODIFIED OR EXTENDED BY MUTUAL AGREEMENT OF THE  
PARTIES.

-- 2. THE TERMINATION OF THIS AGREEMENT SHALL NOT BY  
ITSELF EFFECT THE VALIDITY OR DURATION OF ANY ARRANGEMENT  
MADE UNDER IT.

-- DONE AT        THIS      DAY OF  
IN DUPLICATE, IN THE ENGLISH AND SPANISH LANGUAGES, BOTH  
BEING EQUALLY AUTHENTIC.

FOR THE GOVERNMENT OF        FOR THE GOVERNMENT OF  
THE UNITED STATES            VENEZUELA  
END TEXT    VANCE

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## Message Attributes

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**Executive Order:** N/A  
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**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009